

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DEREK DEYOUNG,

Plaintiff,

v.

BGROUP, LTD., et al.,

Defendants.

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Case No. 1:20-cv-51

HON. JANET T. NEFF

**ORDER RE: MOTION FOR PRELIMINARY INJUNCTION**

In accordance with the Bench Opinion issued by the Court at the Motion Hearing conducted on February 14, 2020:

**IT IS HEREBY ORDERED** that the Temporary Restraining Order (ECF No. 7), as extended (ECF No. 31), is DISSOLVED.

**IT IS FURTHER ORDERED**, for the reasons stated on the record, that the Motion for Preliminary Injunction (ECF No. 21) is GRANTED as follows:

1. Each Defendant, their officers, directors, employees, agents, subsidiaries, distributors, and all persons in active concert or participation with them having notice of this Order are hereby enjoined and restrained from:
  - a. Reproducing, preparing derivative works of, distributing copies of, and displaying publicly Plaintiff DeYoung's Trout Confetti 1, Tarpon Flank—Late, and Dream Double 1 works;
  - b. Manufacturing, importing, advertising, promoting, offering to sell, selling, distributing, or transferring any products bearing Plaintiff DeYoung's Trout Confetti 1 or Tarpon Flank—Late trade dress or any confusingly similar trade dress;
  - c. Secreting, concealing, destroying, selling off, transferring, or otherwise disposing of: (i) any products bearing Plaintiff DeYoung's Trout Confetti

- 1, Tarpon Flank—Late, and Dream Double 1; or (ii) any evidence relating to the manufacture, importation, sale, offer for sale, distribution, or transfer of any products bearing Plaintiff DeYoung's Trout Confetti 1 or Tarpon Flank—Late trade dress or any confusingly similar trade dress.
2. Each Defendant, their officers, directors, employees, agents, subsidiaries, distributors, and all persons in active concert or participation with them having notice of this Order shall immediately discontinue the use of the Trout Confetti 1 and Tarpon Flank—Late trade dress or any confusingly similar trade dress on or in connection with the sale of goods and all internet websites owned and operated or controlled by them;
  3. Upon receipt of notice of this Order, **PayPal, Inc.** ("PayPal") and its related companies and affiliates will continue to restrain all funds identified by PayPal as related to the PayPal account recipients BGroup, Ltd., Manh Quan Truong, Printabel Company Limited, and Thuy Phan Thien Ha Dong, including, but not limited to, accounts associated with shopbase.com, kayleeandtepid.com, lushgood.com, lannadecor.com, hmcozy.com, azcozy.com, cozynfancy.com, aquacozy.net, cozzian.com, cubebui.com, lushsneaker.com, azdecorus.com, bluetee.us, deplonia.com, astrohuman.onshopbase.com, bashfury.com, richleen.com, scansimo.com, greydard.com, leruitry.com, palmyhome.com, implaker.com, tonewavi.com, encedire.com, wysdman.com, erfourse.com, ciansfin.com, gerlati.com, flossibi.com, zaktez.com, ascenpo.com, sublacti.com, sporcepa.com, and stipe.com as well as all funds in or which are transmitted into (i) any other related accounts of the same customer(s), and (ii) any other accounts which transfer funds into the same financial institution account(s). The restrained funds may be released only by future order of this Court.
  4. Upon receipt of notice of this Order, **Stripe, Inc.** ("Stripe") and its related companies and affiliates will continue to restrain all funds identified by Stripe as related to the Stripe account recipients BGroup, Ltd., Manh Quan Truong, Printabel Company Limited, and Thuy Phan Thien Ha Dong, including, but not limited to, accounts associated with shopbase.com, kayleeandtepid.com, lushgood.com, lannadecor.com, hmcozy.com, azcozy.com, cozynfancy.com, aquacozy.net, cozzian.com, cubebui.com, lushsneaker.com, azdecorus.com, bluetee.us, deplonia.com, astrohuman.onshopbase.com, bashfury.com, richleen.com, scansimo.com, greydard.com, leruitry.com, palmyhome.com, implaker.com, tonewavi.com, encedire.com, wysdman.com, erfourse.com, ciansfin.com, gerlati.com, flossibi.com, zaktez.com, ascenpo.com, sublacti.com, sporcepa.com, and stipe.com as well as all funds in or which are transmitted into (i) any other related accounts of the same customer(s), and (ii) any other accounts which transfer funds into the same financial institution account(s). The restrained funds may be released only by future order of this Court.
  5. Upon receipt of notice of this Order, **BlueSnap, Inc.** ("BlueSnap") and its related companies and affiliates will continue to restrain all funds identified by BlueSnap as related to the BlueSnap account recipients BGroup, Ltd., Manh Quan Truong,

Printabel Company Limited, and Thuy Phan Thien Ha Dong, including, but not limited to, accounts associated with shopbase.com, kayleeandtepid.com, lushgood.com, lannadecor.com, hmcozy.com, azcozy.com, cozynfancy.com, aquacozy.net, cozzian.com, cubebui.com, lushsneaker.com, azdecorus.com, bluttee.us, deplonia.com, astrohuman.onshopbase.com, bashfury.com, richleen.com, scansimo.com, greydard.com, leruitry.com, palmyhome.com, implaker.com, tonewavi.com, encedire.com, wysdman.com, erfourse.com, ciansfin.com, gerlati.com, flossibi.com, zaktez.com, ascenpo.com, sublacti.com, sporcepa.com, and stipede.com as well as all funds in or which are transmitted into (i) any other related accounts of the same customer(s), and (ii) any other accounts which transfer funds into the same financial institution account(s). The restrained funds may be released only by future order of this Court.

6. Upon receipt of notice of this Order, **Payoneer, Inc.** (“Payoneer”) and its related companies and affiliates will restrain all funds identified by Payoneer as related to the Payoneer account recipients BGroup, Ltd., Manh Quan Truong, Printabel Company Limited, and Thuy Phan Thien Ha Dong, including, but not limited to, accounts associated with shopbase.com, kayleeandtepid.com, lushgood.com, lannadecor.com, hmcozy.com, azcozy.com, cozynfancy.com, aquacozy.net, cozzian.com, cubebui.com, lushsneaker.com, azdecorus.com, bluttee.us, deplonia.com, astrohuman.onshopbase.com, bashfury.com, richleen.com, scansimo.com, greydard.com, leruitry.com, palmyhome.com, implaker.com, tonewavi.com, encedire.com, wysdman.com, erfourse.com, ciansfin.com, gerlati.com, flossibi.com, zaktez.com, ascenpo.com, sublacti.com, sporcepa.com, and stipede.com, as well as all funds in or which are transmitted into (i) any other related accounts of the same customer(s), and (ii) any other accounts which transfer funds into the same financial institution account(s). The restrained funds may be released only by future order of this Court.
  
7. Upon receipt of notice of this Order, **First Century Bank N.A.** (“First Century”) and its related companies and affiliates will restrain all funds identified by First Century as related to the First Century account recipients BGroup, Ltd., Manh Quan Truong, Printabel Company Limited, and Thuy Phan Thien Ha Dong, including, but not limited to, accounts associated with shopbase.com, kayleeandtepid.com, lushgood.com, lannadecor.com, hmcozy.com, azcozy.com, cozynfancy.com, aquacozy.net, cozzian.com, cubebui.com, lushsneaker.com, azdecorus.com, bluttee.us, deplonia.com, astrohuman.onshopbase.com, bashfury.com, richleen.com, scansimo.com, greydard.com, leruitry.com, palmyhome.com, implaker.com, tonewavi.com, encedire.com, wysdman.com, erfourse.com, ciansfin.com, gerlati.com, flossibi.com, zaktez.com, ascenpo.com, sublacti.com, sporcepa.com, and stipede.com, as well as all funds in or which are transmitted into (i) any other related accounts of the same customer(s), and (ii) any other accounts which transfer funds into the same financial institution account(s). The restrained funds may be released only by future order of this Court.

**IT IS FURTHER ORDERED** that this Preliminary Injunction will remain in effect until further order of the Court. Consistent with the discussion on the record, counsel is advised that if they reach agreement to modify this Order, then they should file a Stipulation and proposed order for the Court's review.

**IT IS FURTHER ORDERED** that Plaintiff may take expedited discovery from financial account provider Payoneer, Inc. to identify the financial institutions that, on behalf of Defendants, may transmit or receive funds from this financial account provider, including their names, addresses, and account numbers.

**IT IS FURTHER ORDERED** that Plaintiff shall post an additional bond in the amount of forty thousand dollars (\$40,000) as payment of damages to which Defendants may be entitled for a wrongful injunction or restraint.

**IT IS FURTHER ORDERED** that the time for Defendants Printabel Company Limited and Thuy Phan Thien Ha Dong to file their first responsive pleading(s) to Plaintiff's First Amended Complaint (ECF No. 23) is EXTENDED until fourteen (14) days after the pre-motion conference, at which a further extension, if any, will be addressed by the Court, or until further order of the Court.

Dated: February 14, 2020

/s/ Janet T. Neff  
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JANET T. NEFF  
United States District Judge